

Outdoor Power Equipment Institute

Submitted via www.regulations.gov

August 5, 2022

Division of the Secretariat
Consumer Product Safety Commission
4330 East-West Highway
Bethesda, MD 20814

Subject: OPEI comments on CPSC-2012-0058, Agency Information Collection Activities; Proposed Collection; Comment Request; Safety Standard for Walk-Behind Power Lawn Mowers

Dear Ms. Mills:

We are pleased to submit these comments in response to the subject solicitation providing updated information on the walk-behind power lawn mower industry, which we represent, as well as two recommendations for subsequent dialogue on the potential update of *CFR Part 1205 – Safety Standard for Walk-Behind Power Lawn Mowers* (“CPSC standard”).

OPEI is an international trade association representing more than 100 manufacturers and their suppliers of gas and electric-powered outdoor power equipment (“OPE”), golf cars, and personal transport and utility vehicles. OPEI member products are ubiquitous in U.S. households and businesses, including equipment such as lawn mowers, garden tractors, grass trimmers, chain saws, snow throwers, generators, utility vehicles and other similarly powered lawn and garden and vehicle applications. The industry currently contributes approximately \$16 billion to U.S. GDP, domestically ships nearly 40 million products each year, estimates as many 250 million legacy products in service across the U.S., and sells these products through a diverse network of retail channels.

OPEI also serves its members and the industry as their American National Standards Institute (ANSI) accredited Standards Developing Organization (SDO). In that role OPEI maintains and publishes *OPEI/ANSI B71.1 – American National Standard for Consumer Turf Care Equipment – Pedestrian-Controlled Mowers and Ride-On Mowers – Safety Specifications*. This voluntary industry safety standard was first published by OPEI in 1960 and has been revised and republished 14 times since to keep pace with market demands with the first priority of consumer safety. In addition to this standard, OPEI member products also meet the CPSC standard as required under law.

OPEI also serves as the ANSI accredited administrator of U.S. participation in the International Organization for Standardization (ISO) committee ISO TC 23 SC 13, which maintains the international standard(s) for gas-powered walk-behind mowers (ISO 5395-1, 5395-2). Further OPEI helps members coordinate input to and engagement with the International Electrotechnical Commission (IEC) committee TC 116 WG 10, which maintains the international standard(s) for electric/battery-powered walk-behind mowers (IEC 62841-4-3, 62841-1).

In total OPEI efforts across all of these standard development fora are aimed at assuring that standards address the current performance and safety needs of individual and global markets. OPEI members also prioritize the harmonization of global standards whenever practical.

The OPEI membership includes 11 original equipment manufacturers of internal-combustion engine, electric (AC), and lithium-ion battery powered walk-behind power lawn mowers. These companies all ship



numerous models under various brand names, found in retail locations across the U.S. According to OPEI data, member company shipments constitute more than 90% of the domestic market. Total U.S. shipments in 2021 were 5.9 million, with 2.2 million being battery and/or electric (AC) powered, for a share of 37%. This is a significant shift in power innovation (electrification) since just 2016 when such models constituted only 10% of domestic shipments.

With almost 6 million mowers tested and labelled to meet the CPSC standard each year, members in most cases employ personnel to exclusively do this work as their sole responsibility, equating to 8 hours per day. Also in most cases, member manufacturers employ multiple such individuals to staff multiple shifts on multiple production lines across multiple production facilities. The reason most manufacturers employ dedicated technicians for these purposes is that the CPSC standard requires multiple tests and labels. These include the testing of mower protective shields using a foot probe and an obstruction test¹, testing of controls to demonstrate a 3 second stopping time of the blade² requiring a 6 minute engine warm-up (w/ 20 minute set-up and tear-down), application of a warning label regarding blade contact³, testing of sample mowers from each production lot⁴, maintenance of written records for three years for each mower or for a reasonable testing program⁵, and labelling of applicable mowers with a label stating that the machine meets CPSC safety requirements (lot number, location of manufacture, month/year of manufacture, person or firm issuing certificate)⁶. Taken together, the breadth of this testing requires the use of dedicated technicians, which requires considerable employee time per day per establishment.

There are two requirements in the CPSC standard which we believe warrant review and potential revision to assure the standard reflects current market needs and global standards. The first is **§ 1205.4 Walk-behind rotary power mower protective shields**, and the required testing for consumer foot protection. The second is **§ 1205.6 Warning label for reel-type and rotary power mowers**, which was the subject of an OPEI petition in 2019. In both of these areas OPEI members believe the standard requires review and discussion of possible amendments to assure it provides state of art requirements and harmonization with other applicable global standards. Accordingly, OPEI requests the opportunity to meet with CPSC staff for an initial discussion of industry recommendations pertaining to these requirements in the CPSC standard.

We appreciate your consideration of this letter, and we look forward to your response and any questions you might have.

Best regards,



Daniel J. Mustico
Senior Vice President, Government & Market Affairs
(703) 678-2990; dmustico@opei.org

¹ 16 CFR Part 1205.4

² 16 CFR Part 1205.5

³ 16 CFR Part 1205.6

⁴ 16 CFR Part 1205.33

⁵ 16 CFR Part 1205.34

⁶ 16 CFR Part 1205.35